



**PATENT**  
129250-000915/US

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant(s): Mahdi S. Chambers                      Group No.: 2616  
Application No.: 09/280,618                      Conf. No.: 6099  
Filed: March 29, 1999                      Examiner: Derrick W. Ferris  
For: DESTINATION CALL ROUTING APPARATUS AND METHOD

**PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION**  
**UNDER 37 C.F.R. §1.137(b)**

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314  
Mail Stop PETITION

April 5, 2007

Sir:

**I. PETITION TO REVIVE**

Applicant hereby petitions for revival of the above-indicated patent application.

The Applicant's attorney, John E. Curtin, hereby submits the following statement in support of this Petition:

04/06/2007 JADD01 00000032 503777 09200618  
01 FC:1453 1500.00 DA

**A. EXPLANATORY STATEMENT BY APPLICANT'S ATTORNEY IN SUPPORT OF PETITION TO REVIVE**

- 1.) On June 16, 2005 the Applicant's attorney received a Final Office Action dated June 15, 2005 at the attorney's previous address of Harness, Dickey & Pierce ("HDP"), P.O. Box 8910, Reston, Virginia 20195.
- 2.) On August 5, 2005 the Applicant's attorney filed an Amendment After Final ("AAF") in response to the June 15, 2006 Final Office Action.
- 3.) On August 23, 2005 the Applicant's attorney received an Advisory Action dated August 22, 2005 which indicated that the Examiner had received the AAF, but would not enter the amendments in the AAF.
- 4.) On September 13, 2005 the Applicant's attorney filed a Notice of Appeal.
- 5.) On November 10, 2005 the Applicant's attorney filed a Request For Continued Examination ("RCE") requesting that the Examiner consider and enter the AAF previously submitted.
- 6.) On March 17, 2006 the Applicant's attorney joined the law firm of Capitol Patent & Trademark Law Firm, PLLC, (CP&T), P.O. Box 1995, Vienna, Va. 22183 (703)266-3330.
- 7.) On January 30, 2007 a representative of the Examiner in the above-referenced application called the Applicant's attorney at his new telephone number to ask if the Applicant intended to abandon the application. The Applicant's attorney indicated that a response to the June 15, 2005 Final Office Action had been timely filed and that no such abandonment was intended. The Applicant's attorney left a telephonic message with the Examiner on the same day indicating that a response had been filed and that no abandonment was intended. Subsequently, the Examiner and Applicant's attorney spoke by telephone. Once again the Applicant's attorney indicated that a timely response had been filed and that no abandonment was intended. The Examiner indicated that there was no record of a timely response by Applicant.
- 8.) A Notice of Abandonment was mailed on February 2, 2007 to Applicant's attorney's previous address at HDP. A courtesy copy was faxed to the Applicant's attorney at his new CP&T address as well.
- 9.) On February 16, 2007 the Applicant filed a Petition for Withdrawal of Abandonment. The Petition included a statement that contained paragraphs 1.) through 8.) along with the necessary supporting documents.
- 10.) On March 15, 2007 Applicant's Petition was dismissed by the Office of Petitions based on the rationale that Applicant's RCE contained the incorrect identifiers (e.g., application serial number) making it difficult for the PTO to associate the RCE with the correct file. The Office of Petitions suggested that the Applicant file a petition to revive instead. This petition followed.

**B. STATEMENT BY APPLICANT'S ATTORNEY IN SUPPORT OF  
PETITION TO REVIVE UNDER 37 CFR §1.137(b)**

The above-identified application was unintentionally abandoned for failure to timely file a response to the Final Office Action dated June 15, 2005. The entire delay in filing the required reply, namely the response to the Final Office Action, from the due date for the reply until the filing of this petition under 37 CFR 1.137(b) was unintentional. Thus, the abandonment was unintentional.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

**1. Petition Fee**

\_\_\_\_\_ Small Entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))  
\_\_\_\_\_ Small Entity Statement enclosed herewith.  
\_\_\_\_\_ Small Entity Statement previously filed.

X Other than Small Entity - fee **\$1,500.00** (37 C.F.R. 1.17(m)). The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment for this fee, or credit any overpayment, to Deposit Account No. 50-3777 as well as for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; **particularly, petition, Reply or extension of time fees.**

**2. Reply and/or Fee**

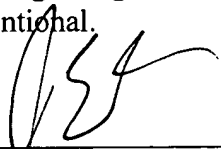
A Request For Continued Examination and Response to the Final Office Action is also enclosed. Applicant has previously paid the RCE fee on November 15, 2005. Thus, no fee is believed due. However, if a fee is due the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment for this fee, or credit any overpayment, to Deposit Account No. 50-3777 as well as for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; **particularly, petition, Reply or extension of time fees.**

3. Terminal Disclaimer with disclaimer fee

X Since this utility/plant application was filed on or after  
June 8, 1995, no terminal disclaimer is required.

4. Statement. The entire delay in filing the required reply from the due  
date for the reply until the filing of a grantable petition under  
37 CFR 1.137(b) was unintentional.

April 5, 2007  
Date:

  
CAPITOL PATENT & TRADEMARK LAW  
FIRM, PLLC

By John E. Curtin, Reg. No. 37,602  
P.O. Box 1995  
Vienna, Va. 22183  
(703) 266-3330



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**2. Reply and/or Fee**

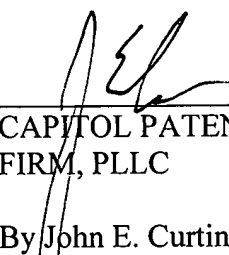
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